NEW HAMPSHIRE BOARD OF NURSING MINUTES June 19, 2014

Recorder: Kathryn Dickson, Executive Secretary

TOPIC DISCUSSION ACTION

1.0 Call to Meeting	Roberta Petrin welcomed to Board as new LNA Board member. Sarah Howlett, RN, Paralegal was introduced as new Board staff that will be assisting Investigator/ Prosecutor. Students welcomed from St. Joseph's School of Nursing.	Meeting called to order at 8:00 a.m. with R. Duhaime (RD), Chair, presiding. Board members present:, K. Baranowski (KB); C. Smith (CS), B. Fersch (BF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), R. Petrin (RP) Board members absent: K. Kidder (KK); A. Finn- Waddell (AF); N. Fortin (NF) Board staff present: D. Nies (DN), A. Pavlidis (AP), S. Goodness (SG), K. Dickson (KD)
1.1 Open Forum	None	
1.2 Addendum 1.2.1 Additions		7.1.1.1 A. Silva, Add'l documentation 9.2.6 L. Brown, LNA reinstatement
1.2.2 Deletions	None	
1.3 Appearances		7.1.1 A. Silva 9:00 p.m. 7.1.2 K. Fifield 9:30 a.m. 10.3.1 E. Duggan, HHCI 10:30 a.m. 9.3.11 J. D. 11:00 a.m. 8.1.1 T. Herbert 1:00 p.m. 8.1.2 O. Ricard (via phone) 1:20 p.m. 9.2.1 C. A. 1:30 p.m. 9.2.2 V. Nwachukwu 1:45 p.m. 9.2.3 A. Belisle 2:00 p.m. 9.2.4 S. Hodnett 2:15 p.m.
2.0 Approval of minutes 2.1 May 15, 2014 Regular Board meeting minutes	Reviewed and discussed.	M/HF, S/TC to approve minutes as written. Unanimous.
2.2 June 6, 2014	Reviewed and discussed.	M/HF, S/TC to approve minutes as written.

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	Emergency meeting minutes, S. Lewis, RN			Unanimous.
4.0	Report of Ex	ecutive Director/Staff		
	4.1 Expens	se Summary Budget	Reviewed and discussed.	FYI.
	4.3 Strateg	ic Planning Session (DN)	Discussed scheduling Strategic Planning Session for September Board meeting.	
7.0	7.2 Consen Volunta	(Investigator/Prosecutor) at Decree/Settlement Agreement/ ary Surrender/Preliminary ment for Practice Restrictions N. Infante, LNA (VS) #021498-24	Previously reviewed.	M/TC, S/JK to accept Voluntary Surrender as proposed. Unanimous.
	7.2.2	A. Nielsen, LNA (SA) #022594-24	Previously reviewed.	M/TC, S/JK to accept Settlement Agreement as proposed. Unanimous.
	7.2.3	C. Lizzie, LNA (VS) #035087-24	Previously reviewed.	M/TC, S/JK to accept Voluntary Surrender as proposed. Unanimous.
	7.2.4	S. Lewis, RN (PA) #053555-21	Previously reviewed.	M/TC, S/JK to accept Preliminary Agreement for Practice Restrictions as proposed. Unanimous.
	7.4 Dismis	sals (Proposed)		
	7.4 Dishiis 7.4.1	J. C., APRN (TC recused)	Previously reviewed.	M/JK, S/HF to accept recommendations as proposed. Unanimous.
	7.4.2	C. R., LNA (CS recused)	Previously reviewed.	M/JK, S/HF to accept recommendations as proposed. Unanimous.
	7.4.3	K. Z., RN (Previously reviewed.	M/JK, S/HF to accept recommendations as proposed. Unanimous.
	7.4.4	G. D., LNA (TC recused)	Previously reviewed.	M/JK, S/HF to accept recommendations as proposed.

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		Unanimous.
7.5 Recommendations (Proposed) 7.5.1 H. D., LNA	Previously reviewed.	M/JK, S/HF to accept recommendations as proposed. Unanimous.
7.5.2 J. B., RN	Previously reviewed.	M/JK, S/HF to accept recommendations as proposed. Unanimous.
7.5.3 D. R., RN (TC recused)	Previously reviewed.	M/JK, S/HF to accept recommendations as proposed. Unanimous.
8.2 Recommendations (Proposed) 8.2.1 – 8.2.12 Letters of Concern and Dismissals (BF, LPN recused Board members)	Previously reviewed.	BF recused. M/JK, S/HF to accept recommendations as proposed for 8.2.2 and 8.2.12. Unanimous.
9.3 Licensure (Non-appearance) 9.3.1 R. M., LNA licensure	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.
9.3.2 C. G., RN examination	Previously reviewed.	M/TC, S/JK to allow RN licensure in NH. Unanimous.
9.3.3 A. N., RN examination	Previously reviewed.	M/TC, S/JK to allow RN licensure in NH. Unanimous.
9.3.4 V. G., LNA licensure	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.
9.3.5 S. B., LNA licensure	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.
9.3.6 J. F., LNA licensure	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.

Previously reviewed.

9.3.7 T. C., LNA licensure

M/TC, S/JK to allow LNA licensure in NH. Unanimous.

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9.3.8 T. P., LNA licensure	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.
9.3.9 A. A., PN examination	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.
9.3.10 J. A., RN examination	Previously reviewed.	M/TC, S/JK to allow LNA licensure in NH. Unanimous.
9.3.11 J. D., RN examination	JD offered testimony in support of request to be granted ability to take NCLEX in NH.	M/KB, S/BF to allow RN licensure by examination in NH. Yea: KB, BF, HF, CS, RP, JK Nay: TC Motion carries.
10.0 Education		
10.1 Consideration for Continuing Approval		
Status 10.1.1 Coos County Nursing Hospital LNA Program	Previously reviewed.	M/TC, S/JK to grant <i>Continued Approval</i> to program and coordinator. Unanimous.
10.1.2 Coos County Nursing Hospital MNA Program	Previously reviewed.	M/TC, S/JK to grant <i>Continued Approval</i> to program and reviewer. Unanimous.
10.2 New Programs		
10.2.1 Kennett High School LNA Program	Previously reviewed.	M/TC, S/JK grant <i>Initial Approval</i> to program and coordinator. Unanimous.
7.0 Adjudicative (Investigator/Prosecutor)		
7.1 Hearings 7.1.1 A. Silva, LNA #025889-24	Hearing held in absentia for A. Silva, LNA #025889-24, Docket #14-0130-0413-NA, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 9:10 a.m with R. Duhaime (RD), Chair presiding. Board members present: K. Baranowski (KB), C. Smith (CS), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), R. Petrin (RP),	M/CS, S/KB to affirm Hearing Counsel's Proposed Findings of Facts #1 - #18; affirm Hearing Counsel's Proposed Rulings of Law #1 - #4; affirm Hearing Counsels Proposed Sanctions #2 - #6; amend Hearing Counsel's Proposed Sanctions #1 to REVOKE LNA license and assess monetary penalty of \$1000 to deter future misconduct and to defray costs associated with investigation and
	B. Fersch (BF)	prosecution of case to be paid within 90 days from

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	Board staff present: S. Goodness (SG), K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing Reading of Notice of Hearing waived. Hearing concluded at 9:20 a.m.	effective date of Board's order. Unanimous. (See Docket #14-0130-0413-NA)
7.1.2 K. Fifield, LNA #002124-24	Hearing held for K. Fifield, LNA #002124-24, Docket #14-0603-0431-NA, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 9:33 a.m. with R. Duhaime (RD), Chair presiding. Board members present: K. Baranowski (KB), C. Smith (CS), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), R. Petrin (RP), B. Fersch (BF) Board staff present: S. Goodness (SG), K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing Reading of Notice of Hearing waived. Respondent present to offer testimony. Witnesses present to offer testimony: Jesselle Reed, Life Skills Facilitator, Robin Hill Farm Laurie Riendeau, Life Skills Facilitator, Robin Hill Farm Susan Goodness, Administrative Supervisor, NH Board of Nursing Hearing concluded at 10:07 a.m.	M/KB, S/TC to affirm Hearing Counsel's Proposed Findings of Facts #1 - #16; affirm Hearing Counsel's Proposed Rulings of Law #C; denies Hearing Counsel's Proposed Rulings of Law #A & #B; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to impose 1-year PROBATION and assess monetary penalty of \$250 to deter future misconduct and to defray costs associated with investigation and prosecution of case to be paid within 90 days from effective date of Board's order. Unanimous. (See Docket #14-0603-0431-NA)
11.0 Practice Inuiries and Practice Committee Reports	N	
11.1 Liaison (KK) 11.2 P & E Committee (NF)	No report. Next meeting scheduled for September. No report. For July meeting, plan to review new format	
	for clinical questions on BON website.	
11.3 Request for Board advice re: 11.3.1 LPN Scope of Practice: Perform peritoneal dialysis	Reviewed and discussed question of whether or not it is within LPN scope of practice to perform peritoneal dialysis on patient.	Board voted to send to P & E for recommendations.
11.3.2 LNA Scope of Practice:	Reviewed and discussed question of whether or not it is	Board reaffirmed opinion of January 17, 2013 that

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	Disconnect NG tube from wall suction to assist with toileting	within LNA scope of practice to disconnect NG tube from wall suction to bring them to bathroom and then reconnect to wall suction once settled.	it is NOT within scope of practice for LNA to clamp NG Tube OR perform other functions associated with NG tubes based on need for assessment.
12.0	Committee Reports and Recommendations 12.1 HeM 1201 (TC)	No report.	ussessificat.
	12.2 Day of Discussion 12.2.1 RN/LPN Day of Discussion (AP)	Reviewed agenda for August 26, 2014 Evening of Discussion.	
	12.2.2 LNA Day of Discussion (LT)	LNA Day of Discussion being held today.	
	12.3 ADA (NF, AF, TC)	Reviewed two applicants for accommodations.	M/TC, S/JK to approve accommodations for both applicants. Unanimous.
14.0	National Council 14.1 Nursys Data Analysis	FYI	
10.0	Education 10.3 Educational Issues 10.3.1 Harmony Health Care	Eileen Duggan, Director, Harmony Health Care Institute, inquired as to whether Board changed adopted procedure for Nurse Education program approval status.	Board will take request under consideration for review and discussion.
		Reviewed and discussed NCLEX-PN Corrective Action Plan Summary.	M/KB, S./TC to accept corrective plan and proposed timeline. Unanimous.
	10.3.2 River Valley Community College Approval of curricular revision	Reviewed and discussed request for approval for curricular revisions.	M/KB, S/TC to approve proposed curricular revisions for implementation for Fall 2014. Unanimous.
	10.3.3 Excelsior College	Reviewed and discussed whether or not transcripts from Excelsior College will be accepted in NH for initial licensure	M/KB, S/TC to accept transcripts from Excelsior College for initial licensure in NH. Unanimous.
		M/KB, S/TC to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes	

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		of non-public session shall be sealed. Board voted as	
		follows:	
		Yea: RD, CS, KB, BF, JK, HF, TC, RP	
		Non-public session began at 11:05 a.m. and concluded	
		at 12:00 p.m.	
		av 12100 pinni	KB excused at 12:00 p.m.
8.0	Adjudicative (Executive Director)		The excused at 12.00 p.m.
0.0	8.1 Reinstatement, Removal of Probation,		
	Restrictions, Modifications or Conditions		
	8.1.1 T. Hebert, RN	T. Hebert offered oral testimony in support of petition	M/JK, S/BF to reinstate RN license after
	#048012-21	to reinstate NH RN license.	successful completion of Board approved refresher
	#046012-21	to remistate INFI KIN ficense.	
			course and with one-year probation and
			stipulations.
			Unanimous.
	8.1.2 O. Ricard, LNA	O. Ricard, LNA, offered oral testimony via telephone	M/BF, S/HF to end Reprimand on NH LNA
	#046591-24	in support of petition to end Reprimand on NH LNA	license effective June 19, 2014. Petition is aware
		license imposed in April 2013.	that Reprimand will remain on LNA license for
		1	historical purposes.
			Unanimous.
	8.1.3 L. Ryznal, RN	Reviewed and discussed petition for removal of	M/TC, S/JK to deny request for removal of
	#047047-21	probation from NH RN license.	probation from L. Ryznal's NH RN license.
			Unanimous.
9.0	Licensure		
	9.2.1 C. A., LNA licensure	C. A. offered testimony in support of petition to be	M/TC, S/JK to allow LNA licensure in NH
		permitted to obtain LNA licensure in NH.	Unanimous.
	9.2.2 V. Nwachukwu, NCLEX-RN	V. Nwachukwu appeared before Board to request	M/KB, S/TC to deny request to sit for NCLEX-RN
		permission to sit for NCLEX-RN under comparable	– she is not eligible to take exam.
		education for second time.	Unanimous.
	9.2.3 A. Belisle, RN Endorsement	A. Belisle appeared before Board.	Board suggested she meet with LO, Investigator/
			Prosecutor.
	9.2.4 S. Hodnett, NCLEX-RN	S. Hodnett offered testimony in support of petition to	M/TC, S/BF to allow S. Hodnett to sit for
	7.2.7 D. HOUHER, INCLEASING	be permitted to take NCLEX-RN in NH.	NCLEX-RN.
		be permitted to take IVELEATIVI III IVII.	Unanimous.
			Onammous.
	9.2.5 H. F.	Reviewed and discussed recommendations for	M/JK, BF to accept recommendations as proposed.
		dismissal.	Unanimous.

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	9.2.6 L. Brown, LNA reinstatement	L. Brown offered testimony in support of petition to	M/TC, S/RP to deny request for reinstatement of
	,	reinstate LNA license.	LNA license.
			Unanimous.
		M/TC, S/JK to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: RD, CS, RP, BF, JK, HF, TC Non-public session began at 3:09 p.m. and concluded	
		at 3:20 p.m.	
16.0	Correspondence/Articles/FYIs		
	16.1 CORE Report 2012	FYI.	
17.0	Adjournment		Meeting adjourned at 3.25 p.m.
		Next regular meeting: July 17, 2014 8:00 a.m. NH Board of Nursing Conference Room B119 121 South St Concord, NH 03301	Description when the d
			Respectfully submitted, Denise Nies, MSN, RN, BC Executive Director